

REMARKS

Formal Matters

Claims 1, 4-10, 15-21 and 81-90 are pending in the instant application. Claims 1, 4-10, 15, 20-21 and 81-87 have been cancelled without prejudice or disclaimer. Claims 16, 17, 19 and 88-90 have been amended as a matter of formality to reflect the claims upon which they currently depend. Claims 91-94 have been added. Support for the newly added claims can be found, for example but not limited by, in paragraphs 23, 45, 50, and newly added paragraph 37. As previously mentioned, new paragraph 37 is taken from Application No. 10/625,449, which is incorporated by reference in the instant application; paragraph 55. It is being added for the convenience of ready reference for newly added claims 91-92. The paragraph can be found in issued US 6,935,617 to Mead et al.; Col. 4, lines 14-18. No new matter had been added.

In view of the following remarks, Applicants respectfully request reconsideration of Claims 16-19, 88-90, and 91-94, the only claims under examination in the instant application.

Claim Rejections- 35 U.S.C. § 102(b)

In the Office Action dated June 18, 2007, the Examiner rejected Claims 1, 4-10, 15-21 and 81-90 of the present invention under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) for alleged anticipation and obviousness.

The Applicant respectfully submits that currently presented Claims 16-19, 88-90, and 91-94 of the instant application make the rejections under the cited art moot. For example, Unger et al. (US 2002/0029814, filing date Apr. 6, 2001), do not teach microfluidic devices for the PCR amplification of nucleic acids.

Accordingly, the Applicant respectfully requests reconsideration of currently presented Claims 16-19, 88-90, and 91-94 of the instant application.

CONCLUSION

The Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact me at the telephone number listed below.

PETITION FOR EXTENSION OF TIME AND FEE AUTHORIZATION

The Applicants hereby authorize the Commissioner to charge the One-month Extension of Time fee, and any additional fees required, to Applied Biosystems Deposit Account No. 01-22313 (Order No. 4956).

Respectfully submitted,

Date: October 18, 2007

/Sally A. Swedberg/
Sally A. Swedberg, PhD
Reg. No. 53, 659
Agent for Applicants

CORRESPONDENCE ADDRESS

Customer Number: 22896
APPLERA CORPORATION
Applied Biosystems Group
Patent Department – M/S 432-2
850 Lincoln Centre Drive
Foster City, California 94404
TEL: 650-554-2863
FAX: 650-638-6677